

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

For Official Use

IN THE MATTER OF THE ESTATE OF

**Summary Settlement -
Findings and Order**

☐ with Order Appointing Special
Administrator

Case No. _____

A petition for summary settlement having been filed,

THE COURT FINDS THAT:

1. The decedent, whose date of birth was _____, and date of death was _____, died domiciled in _____ County, State of _____, with a post office address of: _____.
2. Petitioner is interested as _____.
3. Notice: ☐ has been given as required by the court ☐ has been waived ☐ was not required.
4. If required, notice has been given to the Department of Health and Family Services and more than 30 days have elapsed since that notice was given.
5. The estate is one properly settled under summary settlement in that: *(Select either a or b below.)*
 - ☐ a. the estate, less the amount of the debts for which any property in the estate is security, does not exceed in value the expenses, allowances, and claims under §859.25(1)(a) to (g), Wis. Stats.
 - ☐ b. the estate, less the amount of the debts for which any property in the estate is security, does not exceed \$50,000 (date of death after May 8, 2000) or \$30,000 (date of death before May 9, 2000) in value and the decedent is survived by a spouse or one or more minor children or both.
6. A detailed statement of property in which the decedent had an interest is as follows: ☐ See attached.

| Description of Property | Value of Decedent's Interest at Date of Death |
|-------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| A. <u>Property in which decedent had an interest:</u> | |
| B. <u>Property over which decedent had a power of appointment:</u> | |
| C. <u>Benefits payable on decedent's death under annuities/retirement plan/life insurance:</u> | |
| D. <u>Joint and life tenancies:</u> | |
| E. <u>Gifts made in contemplation of death or taking effect upon death or made within 2 years prior to death:</u> | |
| F. <u>Any other property that may be subject to death taxes as the result of the decedent's death:</u> | |

7. Complete section **a** or **b** below.

- ☐ **a.** The estate is appropriate to be settled under §867.01(1)(a), Wis. Stats. The priority claims against the estate under §859.25, Wis. Stats., and the persons entitled to payment are:

| Persons(s) Entitled to Payment | Amount |
|------------------------------------------------------------------------------------------------------|--------|
| (1) <u>Costs and expenses of administration:</u> | |
| (2) <u>Funeral and burial expenses:</u> | |
| (3) <u>Provisions for the family of the decedent under §§861.31, 861.33 and 861.35, Wis. Stats.:</u> | |
| (4) <u>Other priority claims under §859.25, Wis. Stats.:</u> | |

- ☐ **b.** The estate may be settled under §867.01(1)(b), Wisconsin Statutes. Any property not otherwise assigned shall be assigned as an allowance under §861.31, Wisconsin Statutes to:

- ☐ the surviving spouse, or
☐ the minor children, or
☐ both the surviving spouse and the minor children.

8. Any interest of the decedent as joint tenant terminated at death.

9. Any life estate of the decedent terminated at death.

10. Any interest of the decedent in survivorship marital property vested in the surviving spouse at death.

- ☐ 11. It is necessary to appoint a special administrator with the following powers:

THE COURT ORDERS THAT:

1. The property is assigned to the persons entitled to it as stated below.
2. Any person indebted to or holding money or other property of the decedent pay the indebtedness or deliver the property to the persons found to be entitled to receive it as stated below.
3. Interests in real estate, stocks or bonds registered in the name of the decedent, title of licensed motor vehicle(s), or any other form of property are transferred as stated below.

| Person(s) Entitled to Receive | Description of Property | Value |
|-------------------------------|-------------------------|-------|
| | | |

4. If the decedent immediately prior to death had an estate for life or an interest as a joint tenant or in survivorship marital property, in any property for which a certificate of termination has not been issued, the court certifies that such interests terminated or vested at death.
- ☐ 5. The estate commenced under Chapter 856 is terminated; upon filing receipts, the personal representative is discharged and any bond is cancelled.
- ☐ 6. The petitioner shall inform known unsatisfied creditors as to the final disposition of the estate.
- ☐ 7. Letters of Special Administration are issued to _____ upon filing a _____ bond of \$_____, with the following powers:

BY THE COURT:

| |
|------------------|
| Name of Attorney |
| Address |
| Telephone Number |

| |
|-----------------------|
| _____ |
| Court Official |
| _____ |
| Name Printed or Typed |
| _____ |
| Date |